



## CONNECTICUT LEGAL SERVICES

A PRIVATE NONPROFIT CORPORATION

872 MAIN STREET P.O. BOX 258 WILLIMANTIC, CT 06226-258

TELEPHONE (860) 456-1761 EXT. 115 OR 1-800-413-7796 (CLIENT TOLL-FREE LINE)

FAX (860) 456-7420

E-MAIL SBERGERT@CONNLEGALESERVICES.ORG

SHIRLEY BERGERT  
DIRECTOR OF  
PUBLIC BENEFITS TASK FORCE

ANNE LOUISE BLANCHARD  
LITIGATION DIRECTOR

CATHERINE CUSHMAN  
CHERYL DIANE FEUERMAN  
BET GAILOR  
JOELEN J. GATES  
REBECCA LOOS  
SAMUEL T.D. NEVES, JR.  
ROYAL STARK  
WENDY W. WANCHAK  
ATTORNEYS AT LAW

CAROLE MASTERS  
VOLUNTEER ATTORNEY

LAUREL J. FREEMAN  
PARALEGAL

THOMAS W. CRATTY, JR.  
VOLUNTEER PARALEGAL

LUZ OSUBA  
HEROILDA RIOS  
LEGAL ASSISTANTS

ADMINISTRATIVE OFFICE  
62 WASHINGTON STREET  
MIDDLETOWN, CT 06457  
(860) 344-0447

THOMAS D. GOLDBERG  
BOARD CHAIR

STEVEN D. EPPLER-EPSTEIN  
EXECUTIVE DIRECTOR

### LAW OFFICES

211 STATE STREET  
BRIDGEPORT, CT 06604

16 MAIN STREET  
NEW BRITAIN, CT 06051

153 WILLIAMS STREET  
NEW LONDON, CT 06320

20 SUMMER STREET  
STAMFORD, CT 06901

85 CENTRAL AVENUE  
WATERBURY, CT 06702

872 MAIN STREET  
WILLIMANTIC, CT 06226

### SATELLITE OFFICES

5 COLONY STREET  
MERIDEN, CT 06451

62 WASHINGTON STREET  
MIDDLETOWN, CT 06457

98 SOUTH MAIN STREET  
SOUTH NORWALK, CT 06854

564 PROSPECT STREET  
TORRINGTON, CT 06790

29 NAEK ROAD, SUITE 5A  
ROCKVILLE, CT 06066

## Testimony of Shirley Bergert<sup>1</sup> Before the Energy & Technology Committee Regarding Senate Bill #1079

### An Act Concerning Operations of Public Service Companies March 3, 2011

Connecticut Legal Services serves low income households in Connecticut, providing legal advice and assistance in civil matters, including the loss of utility service. These are our vulnerable neighbors at greatest risk in affording and maintaining necessary utility and energy services.

### Recommended action: Reject Sec. 4

(modifies CGS § 16-262c(a) to allow terminations of utility service when emergency help is not accessible)

Section 4 of this bill reduces protections to families from loss of necessary utility service. It would allow utility shut-offs at times a low income family is unable to access intervention assistance or emergency energy assistance to address the shut-off. Dangerous situations could result where households did not have utility service for up to four days. Thus, section 4 should be rejected.

The proposed bill language would expand the days a utility may shut off service without adequate protection for a low income household needing outside assistance to resolve the utility shut-off. A utility would be able to shut off service on Fridays if its business office is open Saturday and there are locations where the utility bill can be paid. However, social services agencies providing interventions for families facing utility shut-offs are generally not open weekends or legal holidays. If the family is not at home on Friday (e.g., adult working and children at school), they may not discover the shut-off until it is too late to seek assistance until the following Monday (or Tuesday if Monday is a holiday). Refrigerated food, formula or medications are likely to go bad in such a timeframe. In many cases it will not be possible to prepare food or formula, there may be no hot or running water, they may not be able to flush toilets. Medical equipment such as nebulizers utilizing electricity may not be operable. They may need to resort to dangerous use of candles or heat sources if the weather is cold. There is no real advantage to a utility to add another day each week in which it may terminate utility services as a collection tactic, but there are great dangers to utility customers.

<sup>1</sup> Member of the Low Income Energy Advisory Board, Energy Conservation Management Board, Fuel Oil Conservation Board, and the Advisory Board for the Institute for Sustainable Energy.



Currently residential utility service may not be shut off on a Friday, Saturday, Sunday, legal holiday or day before a legal holiday, any time the utility business office is closed and an hour before such closing, when the shut-off relates to a debt to the utility. This ensures that if a shut-off was in error or creates an emergency, it can quickly be addressed by contacting the utility. It also ensures that a family needing assistance – intervention or emergency energy assistance – has an opportunity to access such assistance to avoid or address the loss of utility service.

The current economy has resulted in many households having great difficulty in meeting expenses. This has driven up the need for energy assistance, including the assistance provided by fuel banks. And seeking assistance can be daunting – multiple locations may need to be contacted and documentation provided. This may be particularly difficult for those who need assistance working with the utility to reach a resolution, for example, persons with limited English proficiency, competency issues (developmental disability or cognitive impairment) or mental illness. Persons with disabilities or those who are elderly are at particular risk.

The legislature has rejected this proposal in recent years and should do so again this year. It is too dangerous a modification of statutory protections against loss of necessary utility service.